

REMARKS

With the entry of the amendments above, claims 4, 6, 9, 10, 14, and 16-26 are pending in this application. Claims 1-3, 5, 7, 8, 11-13, and 15 are canceled above without prejudice or disclaimer. New claims 21-26 have been added. The remaining claims have been amended to incorporate the limitations of all claims on which they were formerly dependent, as follows.

Claims 4 and 6 have been amended to incorporate the limitations of original claim 2, from which they formerly depended. Claim 4 is also amended to clarify that at least one K is the Q moiety. Claim 6 is also amended to change "cyclopropane" to "cyclopropyl" for consistency with the recitation of a C₃-C₁₂ cycloalkyl group. Claim 9 is amended to incorporate all limitations of original claims 7 and 8; note that original claim 7 already incorporated all limitations of original claim 2 in its text. Original claim 10 depends from amended claim 9, which contains all limitations of original claim 2. Original claim 14 depends from original claim 10, and hence also contains all limitations of original claim 2. Claim 16 is amended to incorporate all limitations of original claim 1. Claim 17 is amended to depend from amended claim 4, which contains all limitations of original claim 2. Claim 18 is amended to depend from amended claim 4, which contains all limitations of original claim 2. Claim 19 is amended to depend from amended claim 16, which contains all limitations of original claim 1. Claim 20 is amended to depend from amended claim 4, which contains all limitations of original claim 2. No new matter is added by this amendment.

With respect to the new claims, the limitation of a pharmaceutically acceptable carrier in new claims 21, 22, 25 and 26 is supported at page 25, lines 17-24. The compound specified in claim 23 is supported at page 19, Scheme 4 (SL-11217). The compound specified in claim 24 is supported at page 18, Scheme 3 (SL-11237). The limitation of all salts thereof for claims 23 and 24 is supported at page 8, line 30 to page 9, line 4. No new matter is added by this amendment.

With respect to any claim amendments or cancellations, Applicants have not dedicated to the public or abandoned any unclaimed subject matter and moreover have not acquiesced to any rejections and/or objections made by the Patent Office. Applicants expressly reserve the right to pursue prosecution of any presently excluded subject matter or claim embodiments in one or more future continuation and/or divisional application(s).

Rejection Under 35 USC § 102

Claims 1-3, 5, 7, 8, 11-13, and 15 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated over Basu et al. (WO 00/66587).

Those claims are now canceled, and the rejection is thus moot. Applicants respectfully request withdrawal of the rejection.

Claim Objections

The Applicants thank the Examiner for indicating that claims 4, 6, 9, 10, 14, and 16-20 would be allowable if written in independent form, including all limitations of the base claim and any intervening claims. Those claims have been amended to include all limitations of the base claim and any intervening claims. Applicants submit that the objections to the claims are moot, and respectfully request withdrawal of the objections.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of and objections to the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 578562000800. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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